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**Department of Energy**

Idaho Operations Office  
850 Energy Drive  
Idaho Falls, Idaho 83401-1563

September 20, 2001

Lake H. Barrett, Acting Director  
U. S. Department of Energy  
Office of Civilian Radioactive Waste Management  
5A-085/FORS  
1000 Independence Ave, S. W.  
Washington, D. C. 20595

**SUBJECT:** Letter from Lake H. Barrett, Acting Director, U. S. Department of Energy, Office of Civilian Radioactive Waste Management to Ms. Beverly Clark sic (Cook), dated August 28, 2001, requesting a response to this letter addressing the suitability of the Yucca Mountain site as a Repository (INTEC-WP-01-050)

Dear Mr. Barrett:

The Department of Energy (DOE), Idaho Operations Office, Spent Fuel and High-Level Waste Program personnel have reviewed the documents identified in the reference letter and are providing comments addressing the suggested topics for public comment provided.

**Topic – Views concerning whether the Yucca Mountain Preliminary Site Suitability Evaluation (PSSE) and other scientific documents produced by the Department**

**Response -** The Preliminary Site Suitability Evaluation (PSSE) and other scientific documents provide a more than adequate basis for showing that Yucca Mountain is suitable for a repository for SNF and HLW.

**Topic – Should the Secretary proceed to recommend the site to the President**

**Response -** Based on the documents provided to us by the Yucca Mountain Site Characterization Office, our review, and resolution of comments the site appears to meet the applicable radiation standards set by the EPA and NRC. Therefore, the Secretary should recommend the site to the President and that the site is protective of the human health and environment.

**Topic – Is the Yucca Mountain site qualified for preparation and submission of a construction license application**

**Response -** Based on our review and comment resolutions of documents provided by the Yucca Mountain Site Characterization Office, the Yucca Mountain site is qualified for the preparation and submission of a construction license application to the NRC.

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Topic – Do you believe the Secretary should proceed with a recommendation to develop a repository at Yucca Mountain or provide a mechanism to be utilized to meet the Departments obligations

Response - The Yucca Mountain site is suitable for a repository based on our review and comment resolutions of documents provided by the Yucca Mountain Site Characterization Office.

Topic - Do you believe the Secretary should proceed with a recommendation to develop a repository at Yucca Mountain or provide measures the Nation should consider

Response - The Yucca Mountain site is suitable for a repository based on our review and comment resolutions of documents provided by the Yucca Mountain Site Characterization Office.

Topic – Provide other comments concerning the relevant aspects of the Yucca Mountain site for use as a repository

Response - Other comments

1. The current method MTHM is calculated for HLW will not allow all of DOE-EM's HLW to go into the first repository. There are several other methods to calculate the amount of heavy metal in the waste to be received. Some of these other methods are described in the Yucca Mountain EIS. Volume of HLW received may also be calculated based on thermal load if this allows all the HLW to be disposed of. This issue needs to be resolved with a middle ground that will allow all of DOE's HLW to go to the repository.
2. The RCRA listed waste issue needs to be resolved. Presently INEEL and RL are required to obtain an approved delisting petition from the EPA region 10 and the States to allow their waste to be accepted into Yucca Mountain repository. However the State of Nevada in August 96 during the Hazardous Waste Identification Rule meeting in Las Vegas stated they will not accept the delisting of HLW and would not allow it to be accepted for disposal in the repository.

If Nevada retains this position, it will require the Department to obtain a Land Withdrawal Permit from Congress for the repository to allow the INEEL and RL HLW to be accepted. This could in fact cost avoid significant investment in treatability studies, sampling of product, storage of the vitrified product, and still allow for permitting of the repository. The repository would still be protective of the human health and environment.

3. The transportation route issue for SNF and HLW needs to be clarified. The current Yucca Mountain EIS uses routes that are different than other EIS's currently issued or under preparation. Transportation routes currently being used for transport of SNF and other radioactive materials indicate that it can be accomplished safely. In the future, routes need to be broadened to include existing shipping routes.

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4. The TSPA and VA for the Yucca Mountain project needs to take credit for the stainless steel container holding the HLW glass. This would allow for an equivalent waste form, other than borosilicate glass to be disposed of in the repository. This would add to the protectiveness of the human health and environment at the sites, reduce overall DOE investment for treatment and storage and still be protective of human health and the environment for disposal of the HLW package in the repository.

Please let me know if you have questions or need clarification please contact me at (208) 526-1439 or email: [dirkmapj@id.doe.gov](mailto:dirkmapj@id.doe.gov).

Sincerely,



Peter Dirkmaat, Director  
INTEC